



TOWN COUNCIL MEETING
Monday, April 19, 2021
6:30 PM

PURSUANT TO EXECUTIVE ORDER NO. 20-05 EXECUTED BY GOVERNOR GINA RAIMONDO ON MARCH 16, 2020, THIS MEETING WILL BE TELECONFERENCED VIA ZOOM:

The public is invited to observe and participate in the deliberations of this meeting by accessing the meeting link set forth herein. For those without access to video observation platforms, you may also call in to listen to the deliberations of this meeting by using the call in phone number provided herein. To participate during Public Hearing or Public Input you will press *9 to raise your hand.

JOIN VIA PHONE: 1-646-558-8656 or 1-301-715-8592
WHEN PROMPTED, ENTER MEETING ID: 981 9206 9490
PRESS # AGAIN TO JOIN THE MEETING

JOIN VIA COMPUTER OR MOBILE APP: Meeting ID: <https://zoom.us/j/98192069490>

TO VIEW THE MEETING LIVE STREAM WITH NO INTERACTION, PLEASE VISIT THE FOLLOWING LINK:
<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>

Attachments for items on this meeting agenda are available to the public on the Town website at <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2021-meetings-minutes>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS

A) Approval of Minutes; review, discussion and/or potential action and/or vote March 15, 2021 (regular meeting)

B) Open Forum – Water & Sewer Matters

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

- 1) Scheduled request to address – None
- 2) Non-scheduled request to address

- C) Report of Town Officials:
 - 1) Pumping report
 - 2) Town project reports
 - a) Town Wells
 - b) Water Treatment Plant
 - c) Transfer Pumping/Reservoir
 - d) Distribution System
 - e) Wastewater Treatment Facility
 - 3) Finance Director's Report: Comparison of Budget to Actuals as of March 31, 2021
- D) Letters and Communications:
 - 1) Letter received April 7, 2021 from Loren DeVeau of 10 Avenue B requesting relief from her 04/21 Water and Sewer bill
- E) Town Council Adjourns from sitting as the Board of Water and Sewer Commissioners

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

- A) Review, Discussion and/or Action regarding a Proclamation declaring May 3rd through May 7th Jamestown Teacher Appreciation Week

V. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Public Hearing: Review, Discussion and/or Action on the Request of Riven Rock Inc. for a Comprehensive Plan Amendment for Plat 8 Lot 31 and a Zoning Ordinance Map Amendment for Plat 8 Lot 31. The request is further defined as follows: Amend Future Land Use Map #5 to change Plat 8 Lot 31 from Moderate Density Residential to Moderate High Density Residential; Amend Existing Zoning Map #4; changing Plat 8 Lot 31 from R-40 to R-20. The Town Council will reconvene as the Board of Water and Sewer Commissioners for Review, Discussion and/or Action to Amend the Public Water & Sewer Service Area Map #22 to include Plat 8 Lot 31 in the Urban Water and Sewer District.
 - 1) Memorandum from Duncan Pendlebury, Vice Chair of Planning Commission dated March 8, 2021; Riven Rock Inc, 113-115 Melrose Avenue Subdivision, Plat 8 Lot 31
 - 2) Memorandum from Duncan Pendlebury, Vice Chair of Planning Commission, dated March 8, 2021; 113-115 Melrose Avenue Subdivision; review and recommendation of proposed Zone Change and Comprehensive Plan Amendment
 - 3) Memorandum from Duncan Pendlebury, Vice Chair of Planning Commission, dated March 8, 2021; Riven Rock Inc, 113-115 Melrose Avenue Subdivision Plat 8 Lot 31

- 4) Letter from Deborah A. Foppert, Esq; dated July 6, 2020; regarding 113 & 115 Melrose Ave. (Plat 8 Lot 31)
 - 5) Map 4 Existing Zoning Town of Jamestown Comprehensive Plan, 2014
 - 6) Riven Rock Preliminary Plan Proposed Conditions for AP 8 Lot 31
 - 7) Riven Rock Presentation to Planning Commission, January 2021
 - 8) Letter from Deborah A. Foppert, Esq; dated February 9, 2021; regarding 113 & 115 Melrose Ave. (Plat 8 Lot 31)
 - 9) Letter of Deborah A. Foppert, Esq.; dated March 24, 2021; regarding 113 & 115 Melrose Ave. (Plat 8 Lot 31)
- B) Event License Applications: All event license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event.
- 1) Applicant: Arnold Zweir Post 22, American Legion
 Events: American Legion/VFW Events
 Date(s): May 31, 2021 to January 15, 2022
 Locations: Watson Ave., Narragansett Ave., North Rd., Veterans Square
 - 2) Applicant: Jamestown Community Chorus
 Event: Memorial Day Concert
 Date: May 31, 2021
 Location: Lawn School Soccer Field
 - 3) Applicant: Saint Mark Church
 Event: Mother's Day Plant Sale
 Date: May 8, 2021
 Location: Saint Mark Church (outside)
- C) Town Council Sitting as the Alcoholic Beverage Licensing Board
 Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended.
- 1) Renewal of Approval of Requests for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas valid with Special Event Application of the Chamber of Commerce for Dine Out Event in response to COVID- 19; with proposed Extension to May 18, 2021 unless revoked earlier:
 - a) KALI LLC dba J22 Tap & Table, 22 Narragansett Ave.
 - b) Jamestown Beer Holdings LLC dba The Generals Crossing, 34 Narragansett Ave.
 - 2) Renewal of Approval of KALI LLC dba J22 Tap & Table for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas to include property contingent on lease agreement with REGNUM LLC, located at 20 Narragansett Ave. with proposed Extension to May 18, 2021 unless revoked earlier.

- D) Town Council Sitting as the Alcoholic Beverage Licensing Board
Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following application has been received for a **NEW Class B Victualer Liquor License**:

Jamestown Solonniere, LLC
14 Narragansett Avenue
Jamestown, RI 02835

Request for Town Council review, discussion, and potential vote of approval to proceed to advertise for Public Hearing on May 17, 2021, with advertisement in the *Jamestown Press* editions of April 29th and May 6th.

**VI. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE
COMMENTS & REPORTS**

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Town Administrator's Report: Jamie A. Hainsworth
- 1) COVID-19 Status
 - 2) Municipal Parking Lot, Narragansett Avenue
 - 3) Jamestown Golf Course, New Clubhouse
 - 4) Vacancy Status for the position of Town Clerk
 - 5) Appointment of Parks and Recreation Director (Agenda Item)
 - 6) Meeting with RIDEM, re: State Parks (Agenda Item)
 - 7) Jamestown Housing Authority Executive Director Vacancy (Agenda Item)
 - 8) RI Slave History Medallions, Mr. Charles Roberts, Executive Director
 - 9) Charter Amendment Update
 - 10) FYI: The RI Small Business Relief Grant Program
- B) EMA Report: Chief Edward Mello: Regarding COVID-19

VII. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Upcoming Meetings and Sessions – dates and times
- 1) Town Council Meeting Schedule:
 - a) Town Council Regular Meeting: May 3, 2021 at 6:30 p.m.
 - b) Town Council/Water and Sewer Meeting: May 17, 2021 at 6:30 p.m.
- B) Review, Discussion and Possible Action to extend the Executive Order 2020-1, to May 18, 2021, unless revoked earlier; the continuation of the authorization of the Town Administrator to take any and all necessary actions to implement best practices guidance regarding municipal government actions to curtail the spread of the COVID 19 virus.

- C) Review, Discussion and/or Action and/or Vote to proceed to advertise for public hearing for amendment of the Jamestown Code of Ordinances, Chapter 70 Traffic and Vehicles, Article III. Specific Street Regulations, Sec. 70-55; and Article IV. Stopping, Standing and Parking, Sec. 70-80, Sec. 70-87, and Sec. 70-91 through Sec. 70-103 at the May 17, 2021 meeting of the Jamestown Town Council.
- D) Discussion of Fort Wetherill Report regarding meeting with RI Department of Environmental Management

VIII. NEW BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Review, discussion and/or possible action on the FY2021/2022 Tentative Budget, Review and Discussion of Proposed Town Administrator’s Budget; Possible action to adopt and recommend proposed FY2021-2022 Town Budget for consideration by Financial Town Meeting.
- B) Review, discussion and/or possible action to Approve the Solid Waste and Recycling Services Agreement between the Rhode Island Resource recovery Corporation and the Town of Jamestown and Authorization for Signing by Town Administrator Hainsworth.
- C) Review, discussion and/or possible action to approve the Appointment of Raymond DeFalco, Jr. as the Director of Parks and Recreation for the Town of Jamestown
- D) Review, discussion and/or possible action regarding Resolutions of the Jamestown Democratic Town Committee and request for support for the following Legislation:
 - 1) House Bill 5148 Rhode Island Broadband Development Program
 - 2) House Bill 5455 and Senate Bill 0078 Act on Climate
- E) Discussion regarding vacancy of the Jamestown Housing Authority Executive Director.
- F) Request by Councilman Brine for discussion on Communication received from Jamie Enberg concerning cell phone service on the Island and request for a cross walk on North Road at America Way.

IX. CONSENT AGENDA

An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately for review, discussion and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion and/or potential action and or vote.

- A) Adoption of Town Council Minutes
 - 1) April 5, 2021 (Regular Meeting)
- B) Minutes of Boards/Commissions/Committees

- 1) Planning Commission (February 3, 2021)
 - 2) Planning Commission (February 17, 2021)
 - 3) Tax Assessment Board of Review (February 25, 2021)
 - 4) Tax Assessment Board of Review (March 9, 2021)
 - 5) Tax Assessment Board of Review (March 25, 2021)
- C) Finance Director's Report: Christina D. Collins - Comparison of Budget to Actuals as of March 31, 2021
- D) Authorization of the Warrant and Resolutions for the June 7, 2021 Financial Town Meeting (Warrants are routine in matter as they relate to setting the tax rate.)
- 1) Resolution Number 1: Sewer Line Frontage Tax Rate (.68 cents per liner foot, included on tax bill for homes in the Sewer district)
 - 2) Resolution Number 2: Borrowing in Anticipation of Taxes (Authorizes the Town the ability to borrow funds in anticipation of the 1st quarter's taxes being due.)
 - 3) Resolution Number 3: Disposition of Collected Back Taxes (All back taxes to be placed in the General Fund at time of receipt.)
 - 4) Resolution Number 4: Setting the Tax Rate (Actual rate to be determined within a range at the FTM.)
 - 5) Resolution Number 5: Borrowing for Water Tank Purposes Through Issuance of Bonds
 - 6) Resolution Number 6: Use of Proceeds of Borrowing for Fire Department Purposes Through Issuance of Bonds Under Resolution Number 5 of Prior Financial Town Meeting 2020
 - 7) Resolution Number 7: Use of Federal Grants In Lieu Of Borrowing for Projects Otherwise Authorized and Any Other Capital Projects in the Town Capital Improvement Program and/or the School Capital Improvement Program.
- E) Zoning Board of Review Abutter Notice for Public Hearing of Tuesday, April 27, 2021 at 7:00 p.m.: Application of Michael and Sabrina Donnelly (David and Janice Martin, owners), whose property is located a the corner of Garboard St. and Stanchion Ave. and further identified as Assessor's Plat 15 Lot 268 for a special use permit from Article 3, Section 82-314 High Groundwater Table and Impervious Layer Overlay District (A) review process to install a proposed rain garden, septic system, and construct a new 4 bedroom single-family residential dwelling. Said property is located in the R40 zone and contains 14,400 sq. ft.
- F) Resolutions and Proclamations of other Rhode Island cities and towns:
- 1) Resolution of the Portsmouth Town Council No. 2021-03-08 A In Support of Bill H 5113 An Act Related to Miniature Alcoholic Beverage Container Deposit Recycling
 - 2) Resolution of the Portsmouth Town Council No. 2021-02-22 Requesting and Supporting Legislation to Amend Title 44, Chapter 5 of the Rhode Island General Laws Regarding Municipal Taxation of Real Estate

- 3) Resolution of the Westerly Town Council No. 20/21-75 In Opposition to Rhode Island 2021 Gun Control Legislation
- 4) Resolution of the Westerly Town Council No. 20/21-76 Opposing Senate Bill 0259 and House Bill 6067 “An Act Relating to Aeronautics”

X. COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion and/or potential action and/or vote.

A) Communications Received:

- 1) Copy of Letter to: Town Council
 From: A. O. Gutierrez
 Dated: April 6, 2021
 Re: Leash law in Jamestown & suggested clarifications
- 2) Copy of Letter to: Town Council
 From: Cynthia Levesque
 Dated: April 7, 2021
 Re: Revising the Jamestown Dog Ordinance
- 3) Copy of Email to: Town Administrator Hainsworth
 From: Alice Adler
 Dated: April 7, 2021
 Re: National Gun Violence Awareness proclamation request
- 4) Copy of Letter to: Jamestown Harbor Commission
 From: Sharon Purdie and Ted Sybertz
 Alan and Lorraine Katz
 William Robert Kalander
 Dated: April 9, 2021
 Re: Objecting to request of Walrus and Carpenter to relocate oyster nursery operation to West Ferry
- 5) Copy of Letter to: Town Clerk
 From: Michael Ridge, Lucky Ridge Co., Inc.
 Dated: April 7, 2021
 Re: Thanking Town Administration for their support for Spinnaker’s over the last 16 years and extending gratitude to present and past Town Councils for keeping Jamestown one of RI’s most vibrant communities

XI. OPEN FORUM- To participate you will press *9 to raise your hand. The meeting moderator will coordinate your participation.

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- A) Scheduled request to address: Keith Roberts - Regarding Computer Security
- B) Non-scheduled request to address

XII. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library. Notice is also posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov.

ALL NOTE: If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to kmontoya@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website on April 15, 2021